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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

COPART INC.,

Plaintiff,

vs.

CRUM & FORSTER INDEMNITY
COMPANY,¹ UNITED STATES FIRE
INSURANCE COMPANY, and DOES 1-10,

Defendants.

Case No.: C 07 02684 CW (EDL)

[PROPOSED]

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO
COMPEL FURTHER RESPONSES TO
DOCUMENT REQUESTS AND
FURTHER PRODUCTION OF
DOCUMENTS**

Date: January 15, 2008

Time: 2:00 p.m.

Courtroom: E, San Francisco

Hon. Elizabeth D. Laporte

AND RELATED COUNTERCLAIMS.

Defendant United State Fire Insurance Company's motion to compel further responses to documents requests and further production of documents from Plaintiff Copart Inc. came on for hearing before this Court on January 15, 2008. Both parties were represented by their respective counsel. Having reviewed the pleadings and papers submitted in support of and in opposition to

¹ Dismissed by Order Upon Stipulation (6/15/07).

1 said motion, and the arguments of counsel, and good cause appearing therefor, it is hereby
2 ORDERED that the motion is GRANTED IN PART AND DENIED IN PART AS FOLLOWS:

3 U.S. Fire's motion for an order directing Copart to respond further to request for
4 production No 18, and to produce documents responsive to such request is GRANTED IN
5 PART. Copart shall amend its response to Request for Production No. 18, and provide to U.S.
6 Fire all lists or schedules of real property assets prepared or maintained for accounting or tax
7 purposes in existence on or about October 2005, if such documents exist, no later than
8 Wednesday, January 23, 2008, if possible.

9 U.S. Fire's motion for an order directing Copart to respond further to requests for
10 production Nos. 19, 20 and 21, and to produce documents responsive to such requests is
11 DENIED WITHOUT PREJUDICE.

12 With regard to Copart's claim of privilege for that certain email dated August 28, 2006
13 from Mike Carson to Will Franklin and Simon Rote, Copart shall amend its privilege log to
14 conform with the requirements of Judge Laporte's Order Re Discovery Procedures and provide
15 such amended privilege log to U.S. Fire no later than Wednesday, January 23, 2008. Any
16 further dispute regarding the validity of the claimed privilege for this document shall be raised
17 in this Court after the parties have met and conferred.

18
19 IT IS SO ORDERED.

20
21 DATED: _____, 2008
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25 _____
26 ELIZABETH D. LAPORTE
27 United States Magistrate Judge
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